IN THE UNITED STATES BANRUPTCY COURT FOR THE DISTRICT OF PUERTO RICO

IN THE MATTER OF:	CASE NO. 16-02525-ESI
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ROBERTO VELEZ BARBOSA MELINES RESTO GONZALEZ **CHAPTER 13**

Debtor(s)

MOTION SUBMITTING POST CONFIRMATION PLAN

TO THE HONORABLE COURT:

COMES NOW, Debtors, represented by the undersigned attorneys, and very respectfully avers and prays as follows:

- 1. On June 14, 2016, this Honorable Court confirmed debtors' post confirmation plan. Please see docket 32.
- 2. The Debtor(s) informed a new legal action post-petition and the Trustee has requested a a paragraph in section 8.1 of this new PCM to include the same.
- 3. Therefore, the undersigned is filling debtors' new Post Confirmation Plan in order to add the new post-petition legal action.
- 4. Finally, the undersigned avers that this new plan still complies with all requirements of the bankruptcy code, still pays more to general unsecured creditors than a chapter 7 case and, also complies with the liquidation value.

WHEREFORE, Debtor prays that this Honorable Court take notice of the above and confirm debtors' post confirmation plan without the need for a hearing, with any other appropriate relief.

NOTICE: Within twenty-one days (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may

be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this September 24, 2020.

CERTIFICATE OF SERVICE: I hereby certify that on this same date the foregoing motion was filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants.

EMG DESPACHO LEGAL, CRL

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By: /s/Edgardo Mangual González EDGARDO MANGUAL GONZÁLEZ USDC No. 223113

By: /s/José L. Jiménez Quiñones JOSE L. JIMENEZ QUINONES USDC No. 203808

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IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF PUERTO RICO

In Re: ROBERTO VELEZ BARBOSA MELINES RESTO GONZALEZ	Case No.: <u>16-02525-ESL</u> Chapter 13
xxx-xx-2185 xxx-xx-6609	Check if this is a pre-confirmation amended plan
Puerto Rico Local Form G	 ✓ Check if this is a post confirmation amended plan Proposed by: ✓ Debtor(s) ☐ Trustee ☐ Unsecured creditor(s)
Chapter 13 Plan dated September 19, 2020 .	If this is an amended plan, list below the sections of the plan that have been changed. 8.1

PART 1: Notices

To Debtor(s):

This form sets out options that may be appropriate in some cases, but the presence of an option on the form does not indicate that the option is appropriate in your circumstances or that it is permissible in your judicial district. Plans that do not comply with local rules and judicial rulings may not be confirmable.

In the following notice to creditors, you must check each box that applies

To Creditors:

Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated.

You should read this plan carefully and discuss it with your attorney if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one. The headings contained in this plan are inserted for reference purposes only and shall not affect the meaning or interpretation of this plan.

If you oppose the plan's treatment of your claim or any provision of this plan, you or your attorney must file an objection to confirmation at least 7 days before the date set for the hearing on confirmation, unless otherwise ordered by the Bankruptcy Court. The Bankruptcy Court may confirm this plan without further notice if no objection to confirmation is filed. See Bankruptcy Rule 3015. In addition, you must file a timely proof of claim in order to be paid under this plan, unless ordered otherwise.

If a claim is withdrawn by a creditor or amended to an amount less than the amount already disbursed under the plan on account of such claim: (1) The trustee is authorized to discontinue any further disbursements to related claim; (2) The sum allocated towards the payment of such creditor's claim shall be disbursed by the trustee to Debtor's remaining creditors. (3) If such creditor has received monies from the trustee (Disbursed Payments), the creditor shall return funds received in excess of the related claim to the trustee for distribution to Debtor's remaining creditors. (4) If Debtor has proposed a plan that repays his or her creditors in full, funds received in excess of the related claim shall be returned to the Debtor.

The following matters may be of particular importance. Debtor(s) must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as "Not included" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

1.1	A limit on the amount of a secured claim, set out in Section 3.2, which may result in a partial payment or no payment at all to the secured creditor	☐ Included	✓ Not Included
1.2	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Section 3.4.	☐ Included	✓ Not Included
1.3	Nonstandard provisions, set out in Part 8.	✓ Included	☐ Not Included

Puerto Rico Local Form Chapter 13 Plan Page 1

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ROBERTO VELEZ BARBOSA Debtor Case number 16-02525-ESL **MELINES RESTO GONZALEZ**

PART 2: Plan Payments and Length of Plan

2.1 Debtor(s) will make payments to the trustee as follows:

PMT Amount	Period(s)	Period(s) Totals	Comments
\$725.00	Months 1 through 24	\$17,400.00	
\$775.00	Months 25 through 60	\$27,900.00	
Subtotals	60 Months	\$45,300.00	

Insert additional lines if needed

If fewer than 60 months of payments are specified, additional monthly payments will be made to the extent necessary to make the

	payments to creditors specified in this plan.					
2.2	Regular payments to the trustee will be made from future income in the following manner:					
	 Check all that apply Debtor(s) will make payments pursuant to a payroll deduction order. ✓ Debtor(s) will make payments directly to the trustee. Other (specify method of payment): 					
2.3	Income tax refunds:					
	Debtor(s) will supply the trustee with a copy of each income tax return filed during the plan term within 14 days of filing the return and will comply with 11 U.S.C. § 1325(b)(2). If the Debtor(s) need(s) to use all or a portion of such "Tax Refunds," Debtor(s) shall seek cour authorization prior to any use thereof.					

2.4 Additional payments:

Check one.

None. If "None" is checked, the rest of § 2.4 need not be completed or reproduced.

PART3: Treatment of Secured Claims

3.1	Maintenance of	payments and cure	e of default, if anv.
J.1	11IIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII	payments and car	or actually if any

Check of	16.
	None. If "None" is checked, the rest of § 3.1 need not be completed or reproduced.
✓	The Debtor(s) will maintain the current contractual installment payments on the secured claims listed below, with any changes
	required by the applicable contract and noticed in conformity with any applicable rules. These payments will be disbursed either
	by the trustee or directly by the Debtor(s), as specified below. Any existing arrearage on a listed claim will be paid in full
	through disbursements by the trustee, with interest, if any, at the rate stated, pro-rated unless a specific amount is provided
	below. Unless otherwise ordered by the court, the amounts listed on a proof of claim filed before the filing deadline under
	Bankruptcy Rule 3002(c) control over any contrary amounts listed below as to the current installment payment and arrearage. In
	the absence of a contrary timely filed proof of claim, the amounts stated below are controlling. If relief from the automatic stay is
	ordered as to any item of collateral listed in this paragraph, then, unless otherwise ordered by the court, all payments under this
	paragraph as to that collateral will cease, and all secured claims based on that collateral will no longer be treated by the plan. The
	final column includes only payments disbursed by the trustee rather than by the Debtor(s).

Name of Creditor	Collateral	Current installment payments (including escrow)	Amount of arrearage (if any)	Interest rate on arrearage (if any)	Monthly PMT on arrearage	Estimated total payments by trustee
BANCO SANTANDER	URB PRADERAS A-12 CALLE AMAZONITA Gurabo, PR	\$817.31	\$3,867.45			\$3,867.45
		Disbursed by: Trustee Debtor(s)		Mon	ths Starting on Plan	Month

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Debtor		ROBERTO VELEZ BARBOSA MELINES RESTO GONZALEZ			Case number		16-02525-ESL			
Name	of Credi	tor	Collateral	Current installment payments (including escrow)	Amount of arrearage (if any)	Interest rat arrearage (if any)	e on	Monthly PMT on arrearage	Estimate total paymen trustee	
	STMEN [.]	_	401(k): FIDELITY INVESTMENTS INSTITUTIONAL OPERATIONS	\$111.00	\$0.00				uustee	\$0.00
				Disbursed by: ☐ Trustee ☑ Debtor(s)			Montl	ns Starting on Plan	Month	
			ms as needed.							
3.2	Requ	est fo	r valuation of security,	payment of fully secure	d claims, and modifi	cation of und	ersecu	red claims.		
	Check	one.								
	✓	N	one. If "None" is checke	ed, the rest of § 3.2 need n	ot be completed or re	produced.				
3.3	Secur	ed cla	aims excluded from 11	U.S.C. § 506.						
	Check ✓		one. If "None" is checke	ed, the rest of § 3.3 need n	ot be completed or re	produced.				
3.4	Lien .	Avoid	lance.							
	Check √		one. If "None" is checke	ed, the rest of § 3.4 need n	ot be completed or re	produced.				
3.5	Surre	nder	of collateral.							
	Check √		one. If "None" is checke	ed, the rest of § 3.5 need n	ot be completed or re	produced.				
3.6	Pre-c	onfir	mation adequate protec	ction monthly payments	("APMP") to be paid	d by the trust	tee.			
	√ Pa	ymen	ts pursuant to 11 USC §	1326(a)(1)(C):						
	Nam	e of s	ecured creditor	\$ Amount	of APMP			Comments		
	JLAR A			150.00				MATION OF THE		
RELIA	ABLE F	IN.		150.00		UNTIL CO	NFIRI	MATION OF THE	PLAN	
	Insert	addii	ional claims as needed.							
	Pre-co	onfirn	nation adequate protection	on payments made through	the plan by the trusto	ee are subject	to the	corresponding statu	tory fee.	
3.7	Other	secu	red claims modification	ns.						
	Check	one.								
		N	one. If "None" is checke	ed, the rest of § 3.7 need n	ot be completed or re	produced.				
	V	tro de pr cl	ustee shall pay the allow escribed below. Any lister co-rated unless a specific aim filed before the filin	w shall be modified pursu ed claim as expressly mod ed claim will be paid in fu amount is provided below g deadline under Bankrup ly filed proof of claim, the	lified by this section, Il through disburseme v. Unless otherwise of tcy Rule 3002(c) con	at the annual ents by the trus rdered by the trol over any o	interes stee, w court, contrai	t rate and monthly p ith interest, if any, a the amounts listed of y amounts listed be	payments at the rate n a proof low. In the	stated, of e

listed below, distribution will be prorated according to plan section 7.2.

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Debtor	ROBERTO VELEZ BARBOSA MELINES RESTO GONZALEZ			Ca -	se number	16-02525-ESL				
Name o creditor		Claim ID#	Claim Amount	Modified interest rate	Modified term (Months)	Modified P&I	Property taxes (Escrow)	Property Insurance (Escrow)	Total monthly payment	Estimated total PMTs by trustee
POPUL R AUT		CL#3	\$17,57 4.74							\$17,574.74
RELIAI E FIN.		CL#1	✓ To be paid in full 100% \$12,00 5.00 ✓ To be paid					Starting on	Plan Month _	\$12,005.00
			in full 100%					Starting on	Plan Month _	
Insert ad	ldition	al claims as neo	eded.							
PART	4: Tr	eatment of	Fees and l	Priority Clai	ms					
4.1				ority claims, inc	luding domesti	c support obligation	ons other tha	n those treated	d in § 4.5, will	be paid in full
4.2	Trust			atute and may va		term of the plan, no	evertheless a	re estimated f	or confirmation	n purposes to be
4.3	Atto	rney's fees								
	Chec	k one.								
		lat Fee: Attorn 2016-1(f).	ey for Debtor	(s) elect to be co	ompensated as	a flat fee for their	legal services	s, up to the pl	an confirmatio	n, according to
OR										
	Fe exper	ee Application nses, filed not l	: The attorned ater than 14 d	ys' fees amount lays from the ent	will be determ ry of the confi	ined by the court, rmation order.	upon the app	roval of a det	ailed applicatio	on for fees and
		Balance		fees to be paid		are estimated to bed attorney's fees:	e:		\$ 390.00 \$ 2,610.00 \$ 500.00	
4.4	Prior	rity claims oth	er than attor	ney's fees and	those treated i	n §§ 4.5, 4.6				
	Chec.	k one. None. If "A	None" is che	cked, the rest of	§ 4.4 need not	be completed or re	eproduced.			
	✓	The Truste	e shall pay in	full all allowed	claims entitled	l to priority under	§507, §1322	(a)(2), estima	ted in \$1,473.	<u>35</u>
	Nam IRS	ne of priority o	ereditor			Estimat \$1,473 .		claim to be	paid	

Insert additional claims as needed.

4.5 Domestic support obligations assigned or owed to a governmental unit and paid less than full amount.

Check one.

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Debtor			O VELEZ BARBOSA RESTO GONZALEZ		Case number	16-02525-E	SL
	√	None. If	"None" is checked, the rest of § 4	4.5 need not be completed	or reproduced.		
4.6	Post co	one.	n property insurance coverage "None" is checked, the rest of § 4	4.6 need not be completed	or reproduced.		
	V		tor(s) propose to provide post con		_		
Name o	f credite	or insured	Insurance Company	Insurance coverage beginning date		d insurance to be paid	Estimated total payments by trustee
POPUL	.AR AU	то	UNIVERSAL EASTERN AMERICAN INSURANCE	04/2021		\$55.00	\$1,566.00
					Disbursed ✓ Truste ☐ Debtor	e	
RELIAI	BLE AU	UNIVERSAL EASTERN AUTO AMERICAN INSURANCE		10/2018		\$58.00	\$1,155.00
					Disbursed ✓ Truste ☐ Debtor	by:	. ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Insert ad	lditional	claims as n	eeded.				
PART	5: Tre	atment o	f Nonpriority Unsecured	Claims			
5.1	Nonpri	iority unse	cured claims not separately clas	ssified.			
			ty unsecured claims that are not sest payment will be effective.	eparately classified will b	e paid pro rata. If	more than one o	option is checked, the option
Chec	k all tha	t apply.					
V	The f	unds remai	tal amount of these claims, an est ning after disbursements have been ne debtor(s) were liquidated under	en made to all other credit	<u>.</u> ors provided for in	n this plan. ould be paid app	proximately \$
5.2	Maintenance of payments and cure of any default on nonpriority unsecured claims.						
	Check o	one.					
	✓	None. If	"None" is checked, the rest of § 5	5.2 need not be completed	or reproduced.		
5.3	Other s	_	classified nonpriority unsecured	d claims.			
	✓	None. If	"None" is checked, the rest of § 5	5.3 need not be completed	or reproduced.		

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Debtor		DBERTO VELEZ BARBOSA ELINES RESTO GONZALEZ			Case number	16-0252	5-ESL	
PART	6: Execu	itory Contracts and Unexp	ired Leases					
6.1		ntory contracts and unexpired lease I leases are rejected.	s listed below are assu	umed and	will be treated as sp	ecified. All	other executory	contracts and
	Check on	e.						
	✓	None. If "None" is checked, the readssumed items. Current installment below, subject to any contrary cour includes only payments disbursed by	ent payments will be d rt order or rule. Arrear	lisbursed e age paym	either by the trustee ents will be disburs			
	Creditor	Description of leased property or executory contract	Current installment	payment	Amount of arrear paid	age to be	Treatment of arrearage (Refer to other plan section if applicable)	Estimated total payments to trustee
BERTH MENEN		RENT AGREEMENT	\$	100.00		\$0.00		\$0.00
			Disbursed by: Trustee Debtor(s)					
PART '	7: Vestii	ng of Property of the Estate	e & Plan Distribu	ıtion Or	der			
7.2	Entry of Other: Plan district (The num 1. Distrib 1. Distrib 1. Distrib 2. Distrib 2. Distrib 3. Distrib 3. Distrib 4. Distrib 5. Distrib 6. Distrib 7. Distrib	ribution by the trustee will be in the bers below reflect the order of distrution on Adequate Protection Paymution on Attorney's Fees (Part 4, Soution on Secured Claims (Part 3, Soution on Post Confirmation Propertution on Secured Claims (Part 3, Soution on Unsecured Claims (Part 6, ution on Priority Claims (Part 4, Seution on Priority Claims (Part 4, Seution on Unsecured Claims (Part 5, ution on General Unsecured claims fees are disbursed before each of the	ribution; the same nur nents (Part 3, Section 3, ection 4.3) ection 3.1) – Current 6 ty Insurance Coverage ection 3.7) ection 3.1) – Arrearag ection 3.2) ection 3.3) ection 3.4) section 4.4) ection 4.5) section 5.2) section 5.3) s (Part 5, Section 5.1)	3.6) contractua e (Part 4, S e payment	al installment payme section 4.6)	ents		ame number.)
PART 8	8: Nonst	andard Plan Provisions						
	unkruptcy I	None" or list the nonstandard pla None. If "None" is checked, the re Rule 3015(c), nonstandard provisio r deviating from it. Nonstandard pr	st of Part 8 need not b ons must be set forth b	elow. A no	onstandard provisio		ion not otherwis	se included in

Puerto Rico Local Form G (LBF-G)

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Debtor ROBERTO VELEZ BARBOSA Case number 16-02525-ESL MELINES RESTO GONZALEZ

Each paragraph below must be numbered and labeled in boldface type, and with a heading stating the general subject matter of the paragraph.

The following plan provisions will be effective only if there is a check in the box "Included" in § 1.3.

8.2 This Section modifies LBF-G, Part 2, Section 2.3: Income Tax Refunds to be used to fund the plan:

Tax refunds will be devoted each year, as periodic payments, to fund the plan until the plan's completion. The tender of such payments shall deem the plan modified by such amounts, increasing the base without the need of further Notice, Hearing or Court Order. If the Debtor(s) need(s) to the use all or portion of such "Tax Refunds", Debtor(s) shall seek Court's authorization prior to any use of funds

8.3 This Section modifies LBF-G, Part 3, Sections 3.1, 3.3, 3.4 & 3.7: Retention of Lien:

Secured creditors will retain their liens.

8.4 This Section modifies Part 3.6 Pre-Confirmation Adequate Protection Monthly Payments ("APMP") to be paid by the trustee.

ADEQUATE PROTECTION PAYMENT TO RELIABLE (CL#1, AUTO LOAN) IN THE AMOUNT OF \$150.00 AFTERCONFIRMATION CONTINUE TO PAY \$150.00 TO RELIABLE (CLAIM #1, AUTO LOAN) SIMULTANEOUSLY WITH THEATTORNEY FEES UNTIL THESE ARE PAID. THEREAFTER, RELIABLE (CLAIM#1, AUTO LOAN) WILL BE PAIDPRORATA WITH OTHER SECURED PROVISION. INSURANCE TO BE PROVIDED AT MATURITY DATE (10/2018) TORELIABLE BY EASTERN AMERICAN UNIVERSAL INSURANCE THROUGH THE PLAN BY TRUSTEE.

ADEQUATE PROTECTION PAYMENT TO POPULAR AUTO (CLAIM #3, AUTO LOAN) IN THE AMOUNT OF \$150.00. AFTERCONFIRMATION CONTINUE TO PAY \$150.00 TO POPULAR AUTO (CLAIM #3, AUTO LOAN) SIMULTANEOUSLY WITH THEATTORNEY FEES UNTIL THESE ARE PAID. THEREAFTER, POPULAR AUTO (CLAIM#3, AUTO LOAN) WILL BE PAIDPRORATA WITH OTHER SECURED PROVISION. INSURANCE TO BE PROVIDED AT MATURITY DATE (04/2021) TO POPULARAUTO BY EASTERN AMERICAN UNIVERSAL INSURANCE THROUGH THE PLAN BY TRUSTEE

8.5 This Section modifies LBF-G, Part 2, Section 2.4:

Any non-exempt proceeds received from state court action against GROVE HOTEL GROUP, LTD. AND SCALA'S GROUP, INC., will be used to fund the plan. After its confirmation, and without further notice, hearing or court order, the plan shall be deemed modified by increment in its base, in an amount equal to the amount received from the non-exempt proceeds. This judicial tort complaint is a portion of the asset which may produce a liquidation value for the estate in the amount of \$11,285.00 at presente value for \$13,090.00 and such value is contingent on the outcome of the complaint.

Insert additional lines as needed.

PART 9: Signature(s)

/s/ Lcdo. Edgardo Mangual Gonzalez	Date	September 19, 2020	
Lcdo. Edgardo Mangual Gonzalez 223113			<u>_</u>
Signature of Attorney of Debtor(s)			
/s/ ROBERTO VELEZ BARBOSA	Date	September 19, 2020	
ROBERTO VELEZ BARBOSA		•	
/s/ MELINES RESTO GONZALEZ	Date	September 19, 2020	
MELINES RESTO GONZALEZ	-		

By filing this document, the attorney for Debtor(s) or Debtor(s) themselves, if not represented by an attorney, also certify(ies) that the wording and order of the provisions in this chapter 13 plan are identical to those contained in Local Form G (LBF-G), other than any nonstandard provisions included in Part 8.

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0104-3

Case 16-02525-ESL13 District of Puerto Rico

Old San Juan

Fri Apr 8 11:16:19 AST 2016

AMERICAN AIRLINE CREDIT UNION

PO BOX 660493

DALLAS, TX 75266-0493

AMERICAN EXPRESS

PO BOX 297879

PO BOX 21382

SAN JUAN, PR 00928-1382

FORT LAUDERDALE, FL 33329-7879

RELIABLE LIMNETAL SERVICES 10 of 10

AUTORIDAD DE ENERGIA ELECTRICA

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Jose V Toledo Fed Bldg & US Courthouse

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COLON ATIENZA LEGAL & REPOSSESSION SERVICES, PSC.

PO BOX 21382

SAN JUAN, PR 00928-1382

CREDIT MANAGEMENT LP

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ORLANDO, FL 32896-0080

POPULAR AUTO P.O. BOX 366818

PO BOX 7601

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MELINES RESTO GONZALEZ

CAGUAS, PR 00726-7601

ALEJANDRO OLIVERAS RIVERA

ALEJANDRO OLIVERAS CHAPTER 13 TRUS

PO BOX 9024062

SAN JUAN, PR 00902-4062

EDGARDO MANGUAL GONZALEZ EMG DESPACHO LEGAL, CRL. EDIFICIO LA ELECTRONICA SUITE 201-A, CALLE BORI 1608

SAN JUAN, PR 00927-6112

PO BOX 7601

CAGUAS, PR 00726-7601

MONSITA LECAROZ ARRIBAS

OFFICE OF THE US TRUSTEE (UST)

OCHOA BUILDING

500 TANCA STREET SUITE 301

SAN JUAN, PR 00901

ROBERTO VELEZ BARBOSA

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

0

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(d)RELIABLE FINANCIAL SERVICES, INC.

P.O. BOX 21382

SAN JUAN, PR 00928-1382

End of Label Matrix

Mailable recipients 19

Bypassed recipients

Total